

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**TYRONE HENDERSON,
CHARLES TAYLOR, and
WILLIAM WILES,**

Plaintiffs,

v.

Civil Action No. 3:12cv589 (REP)

ACXIOM RISK MITIGATION, INC., *et al.*

Defendants.

EXHIBIT 1

**TO PLAINTIFFS' OPPOSITION TO
DEFENDANTS' JOINT MOTION
TO TRANSFER VENUE**

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**DECLARATION OF TYRONE HENDERSON IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO JOINT MOTION TO TRANSFER VENUE**

I, Tyrone Henderson, hereby declare as follows:

1. My name is Tyrone Henderson, and I make this declaration in Richmond, Virginia. The statements that follow are all made of my personal knowledge.
2. I am a named Plaintiff in the above captioned class action. In this action, I have asserted both claims for statutory damages on behalf of myself and similarly situated individuals, as well as my own individual claim for actual damages, all arising out of the Defendants' violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, et seq.
3. At the time of the filing of this matter I resided at 807 Dixon Drive, Richmond, Virginia 23224, where I continue to reside today, and where I have lived for more than twenty years.
4. I am not currently employed. I receive Social Security disability.
5. After being fully informed of my potential duties as a class representative by my counsel, I consented to be a named Plaintiff in this civil action.

6. With regard to my individual damages, my partner of over twenty years Lorraine Williams, my son Tyrone Henderson, Jr., and daughter April Henderson all have personal knowledge concerning my subsequent attempts to obtain employment, the wages that I lost as a result of my not obtaining employment due to inaccurate and incomplete information in my consumer report. They have witnessed firsthand my frustration, anguish and embarrassment as I attempted to resolve the inaccuracies in my consumer report and as I attempted to obtain employment as a machine technician in the face of those inaccuracies.

7. Other witnesses located in Virginia have information relevant to either the class claims or my individual claims, and who I may need to call as a witness in this matter, include family friends Denise Junius and Perry Smith and his tax accountant Martin Handschuh with Exclusive Tax Service, each of whom resides in Richmond, Virginia.

8. I have never been to or had any contacts with the State of Ohio pertaining to my claim against the Defendants for their FCRA violations, with the possible exception of communicating with one or more of the Defendants by means of a toll-free number or at an address that may have been provided by them or by my employer. Even in those instances, the communications were either initiated by me in Virginia or received by me in Virginia.

9. All of the requests made by me to Defendants for information contained in my consumer file were initiated by me in Virginia.

10. All of my attempts to dispute the accuracy and completeness of the information in my consumer report was initiated by me in Virginia.

11. I want my case to remain here where I filed it and to be tried by a jury of my peers, Virginians selected from a local jury pool.

12. I do not know of and do not believe there are any persons in Ohio who would be

knowledgeable of or witnesses with respect to what I have been through during this ordeal concerning my consumer file maintained by Defendants and my consumer report furnished by them to my prospective employer.

13. It would be a financial burden for me to have to travel to Ohio and to remain there for the duration of the trial of my case.

14. The financial burden would be even greater due to the necessity of my having to incur the cost of others to travel to Ohio to provide in-person, corroborating testimony of the mental anguish, emotional distress and other damages caused by the Defendants' FCRA violations.

15. Due to the financial burden, the strains on my family, and the difficulty and cost of producing my deposition, or other testimony of witnesses required for me to prove my claims, and as to my individual claim for damages, the witnesses required to prove my actual damages, it would be difficult for me to pursue the case if it were transferred to Ohio.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true
and correct.

Executed on this 8 day of November 2012.

Tyrone B. Henderson Jr
Tyrone Henderson